

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

June 4, 2001

MISC. ORDER

2001-05

Associate Justice Coleman A. Blease is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 75, 76, 77 and 78, during the absence of the Presiding Justice from the court on June 5, 2001, or until his return. (See Cal. Const. Art 6, Sec. 3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice

SCOTLAND, P.J.

C031460

THE PEOPLE v. ROBINSON

(Not for Publication)

The section 186.22, subdivision (b) (1) enhancement is stricken. As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect this modification, and to show that defendant's sentence is enhanced pursuant to section 12022, subdivision (a) (1) rather than section 12022.55. The court is further directed to send a certified copy of the amended abstract to the Department of Corrections.

SCOTLAND, P.J.

We concur: Blease, J.

Morrison, J.

C035265

THE PEOPLE v. REYNA

(Not for Publication)

The judgment is affirmed.

DAVIS, Acting P.J.

We concur: Nicholson, J.

Raye, J.

C032562

HARVEY v. EMERSON, III et al.

(Not for Publication)

We remand solely for the trial court to reapportion damages in the form of attorney fees consistent with this opinion. In all other respects, the judgment is affirmed. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 26 (a).)

NICHOLSON, J.

We concur: Scotland, P.J.

Blease, J.

C036020

MORAN v. ST. JOSEPH'S REGIONAL HEALTH SYSTEM et al.

(Not for Publication)

The judgment is affirmed.

MORRISON, J.

We concur: Scotland, P.J.

Callahan, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

June 5, 2001

- C036277 THE PEOPLE v. RHODUS (Not for Publication)**
The judgment is affirmed.
 BLEASE, Acting P.J.
We concur: Raye, J.
 Morrison, J.
- C036735 THE PEOPLE v. HENRY (Not for Publication)**
The judgment is affirmed.
 RAYE, Acting P.J.
We concur: Morrison, J.
 Hull, J.
- C036974 THE PEOPLE v. SULLIVAN (Not for Publication)**
The judgment is modified to impose a \$50 criminal laboratory analysis fee (Health & Saf. Code § 11372.5, subd. (a)), a \$50 state penalty assessment (Pen. Code § 1464) and a \$35 county penalty assessment (Gov. Code, § 76000) upon the fee. The trial court is directed to prepare an amended abstract of judgment to reflect this modification and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.
 MORRISON, J.
We concur: Blease, Acting P.J.
 Raye, J.
- C033900 TABAREZ v. TRANSPORT et al. (Not for Publication)**
The judgment is affirmed.
 CALLAHAN, J.
We concur: Raye, Acting P.J.
 Kolkey, J.
- C034539 SIERRA SELECT DISTRIBUTORS, INC. v. DISTINCTIVE APPLIANCES, INC. (Not for Publication)**
The judgment is affirmed.
 RAYE, J.
We concur: Davis, Acting P.J.
 Callahan, J.
- C034887 ALAMEDA NEWSPAPERS, INC. v. STOCKTON NEWSPAPERS, INC. (Not for Publication)**
The judgment is affirmed. Alameda shall recover its costs on appeal.
 RAYE, Acting P.J.
We concur: Hull, J.
 Kolkey, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

June 6, 2001, continued

C037117 MORRIS v. VAGABOND INN (Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: Raye, J.
 Morrison, J.

C036976 THE PEOPLE v. JONES

BY THE COURT:

Pursuant to the written request of the appellant, the appeal filed November 7, 2000, is dismissed. It is further ordered that the remittitur issue forthwith. (See Cal. Rules of Court, rule 38.)

SCOTLAND, P.J.

June 7, 2001

There were no minutes for this date.

June 8, 2001

C037087 THE PEOPLE v. ESCOBAR (Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: Raye, J.
 Morrison, J.

**C036578 In re JUSTIN R. et al.; SUTTER COUNTY DEPARTMENT OF HUMAN
SERVICES v. JENNIFER R. et al. (Not for Publication)**

The orders of the juvenile court are affirmed.

MORRISON, J.

We concur: Blease, Acting P.J.
 Raye, J.